

# Kramer Levin



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November 15, 2024

**Via ECF**

Hon. Renée Marie Bumb  
Chief United States District Judge  
United States District Court for the District of New Jersey  
Mitchell H. Cohen Building & U.S. Courthouse  
4th & Cooper Streets  
Camden, New Jersey 08101

Re: *In re Toronto-Dominion Bank/First Horizon Corp. Sec. Litig.*  
No. 1:23-cv-02763-RMB-AMD

Dear Chief Judge Bumb:

We write on behalf of the First Horizon Defendants in response to the Court's November 14, 2024 Order. ECF No. 63. That Order stated that the Court intends to administratively terminate Defendants' motions to dismiss pending the filing of Plaintiffs' third amended complaint or a motion to amend, and it instructed the parties to advise the Court of their position on that action. *Id.*

The First Horizon Defendants do not object to the Court's proposed action. The First Horizon Defendants reserve any right to refile or to seek to have the Court "restore the dismissal motion to the calendar" after Plaintiffs' file their proposed third amended complaint or seek leave to amend. *Santiago v. Fed. Express Freight, Inc.*, 2015 WL 6687617, at \*3 (D.N.J. Oct. 30, 2015).

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/ Norman C. Simon  
Norman C. Simon

cc: All counsel of record via ECF